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BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (303) 740-1980

INTELLECTUAL PROPERTY LAW  
1279 OAKMEAD PARKWAY  
SUNNYVALE, CA 94085-4040

FACSIMILE: (303) 740-6962

JUL 23 2007

## **FACSIMILE COVER SHEET**

Deliver to: Nguyen, Steven, USPTO

Art Group: 2616

Facsimile No.: (571) 273-8300

Date: July 23, 2007

From: Aslam A. Jaffery, Reg. No. 51,841

Our Docket No.: 42390P11856

Number of pages 18, including this sheet.

Application No.: 10/037,669

Filing Date: 1/3/2002

Docket Due Date(s): 8/27/2007

Enclosed are the following documents:

Amendment: After Final ( 14 pgs)

Appeal Brief (    pgs)

Application: \_\_\_\_\_  
(    pgs) w/cover & abstract)

Assignment & Cover Sheet (    pgs)

Certificate of Faxsimile \_\_\_\_\_

Continued Prosecution Application (CPA)

Declaration & POA (    pgs)

Drawings:    sheets,    figures

Extension of Time: \_\_\_\_\_

Fee Transmittal (in duplicate)

IDS & PTO/SB/08 (    pgs)

Other: \_\_\_\_\_

Issue Fee Transmittal

Notice of Appeal (in duplicate)

Petition for: \_\_\_\_\_

Request for Continued Examination (RCE)

Reply Brief (    pgs)

Request & Certification Under 35 USC 122(b)(2)(B)(i)

Request to Rescind Previous Nonpublication Request

Response to Notice of Missing Parts & Formalities Letter

Response to Written Opinion (    pgs)

Terminal Disclaimer

Transmittal of Publication Fee Due

Transmittal Letter

***CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)***

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*Krista Mathieson* 7/23/2007  
**Krista Mathieson** Date

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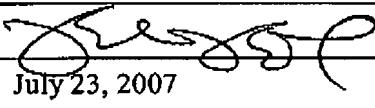
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	10/037,669
		Filing Date	January 3, 2002
		First Named Inventor	Mark T. Feuerstraeter
		Art Unit	2616
		Examiner Name	Nguyen, Steven
Total Number of Pages in This Submission	17	Attorney Docket Number	42390P11856

<b>ENCLOSURES (check all that apply)</b>			
<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Reply <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)         </div> <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <div style="margin-left: 20px;"> <input type="checkbox"/> PTO/SB/08         </div> <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <div style="margin-left: 20px;"> <input type="checkbox"/> Basic Filing Fee  <input type="checkbox"/> Declaration/POA         </div> <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <div style="border: 1px solid black; padding: 5px; height: 40px; margin-top: 10px;">- Certificate of Facsimile</div>	
		Remarks	

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Firm or Individual name	Aslam A. Jaffery, Reg. No. 51,841  BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	July 23, 2007

<b>CERTIFICATE OF MAILING/TRANSMISSION</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Krista Mathiesen		
Signature		Date	July 23, 2007

Based on PTO/SB/21 (05-04) as modified by Blakely, Sokoloff, Taylor & Zafman (nbc) 10/12/2006.  
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FEE TRANSMITTAL  
for FY 2006

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

0.00

## Complete if Known

Application Number	10/037,669
Filing Date	January 3, 2002
First Named Inventor	Mark T. Feuerstraeter
Examiner Name	Nguyen, Steven
Art Unit	2616
Attorney Docket No.	42390P11856

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  None  Other (please identify): Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  
 Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayment of fee(s)  
 during the pendency of this application.

Credit any overpayments  
 Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

## FEE CALCULATION

## 1. EXTRA CLAIM FEES

Total Claims	26	- 33* =	0	x	Fee from below	=	Fee Paid
Independent Claims	3	- 4* =	0	x	50.00	=	\$0.00
Multiple Dependent					200.00	=	\$0.00
						=	

Large Entity	Small Entity	
Fee Code (\$)	Fee Code (\$)	Fee Description
1202 50	2202 25	Claims in excess of 20
1201 200	2201 100	Independent claims in excess of 3
1203 350	2203 180	Multiple Dependent claim, if not paid
1204 790	2204 395	**Reissue independent claims over original patent
1205 300	2205 150	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (1) (\$)		
0.00		

\*Or number previously paid, if greater. For Reissues, see below

## 2. ADDITIONAL FEES

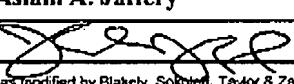
Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description
1051 130	2051 65	Surcharge - late filing fee or oaths
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet
2053 130	2053 130	Non-English specification
1251 120	2281 60	Extension for reply within first month
1252 450	2252 225	Extension for reply within second month
1253 1,020	2253 510	Extension for reply within third month
1254 1,690	2254 795	Extension for reply within fourth month
1255 2,180	2255 1,080	Extension for reply within fifth month
1401 500	2401 280	Notice of Appeal
1402 500	2402 250	Filing a brief in support of an appeal
1403 1,000	2403 500	Request for oral hearing
1451 1,510	2451 1,510	Petition to institute a public use proceeding
1480 130	2460 130	Petitions to the Commissioner
1807 50	1807 50	Processing fee under 37 CFR 1.17(a)
1806 180	1806 180	Submission of Information Disclosure Stmt
1809 790	1809 395	Filing a submission after final rejection (37 CFR 5.1.129(a))
1810 790	2810 395	For each additional invention to be examined (37 CFR 5.1.129(b))
SUBTOTAL (2) (\$)		
0.00		

## Fee Paid

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Aslam A. Jaffery	Registration No. (Attorney/Agent)	51,841	Telephone	(303) 740-1980
Signature				Date	07/23/07

Based on PTO/SB/17 (02-07) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 02/28/2007.  
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<b>FEE TRANSMITTAL for FY 2006</b>		<i>Partial fees are subject to annual revision.</i>	
		<i>Complete if Known</i>	
		Application Number	10/037,669
		Filing Date	January 3, 2002
		First Named Inventor	Mark T. Feuerstraeter
		Examiner Name	Nguyen, Steven
		Art Unit	2616
TOTAL AMOUNT OF PAYMENT		(\$)	0.00
		Attorney Docket No.	
		42390P11856	

<b>METHOD OF PAYMENT (check all that apply)</b>			
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____			
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>02-2666</u> Deposit Account Name: <u>Blakely, Sokoloff, Taylor &amp; Zafman LLP</u>			
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)			
<input type="checkbox"/> Charge fee(s) indicated below		<input checked="" type="checkbox"/> Credit any overpayments	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee		<input checked="" type="checkbox"/> Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) during the pendency of this application.			

<b>FEE CALCULATION</b>					
<b>1. EXTRA CLAIM FEES</b>					
Total Claims	28	33*	=	0	Extra Claims
Independent Claims	3	4*	=	0	Fee from below
Multiple Dependent			=		Fee Paid
Large Entity	Small Entity				
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	
1202 50	2202 25	Claims in excess of 20			
1201 200	2201 100	Independent claims in excess of 3			
1203 350	2203 180	Multiple Dependent claim, if not paid			
1204 790	2204 395	**Reissue independent claims over original patent			
1205 300	2205 150	**Reissue claims in excess of 20 and over original patent			
SUBTOTAL (1)				(\$ 0.00)	
*or number previously paid, if greater. For Reissues, see below					
<b>2. ADDITIONAL FEES</b>					
Large Entity	Small Entity				
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	
1091 130	2051 65	Surcharge - late filing fee or oath			
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
2053 130	2053 130	Non-English specification			
1251 120	2251 60	Extension for reply within first month			
1252 450	2252 225	Extension for reply within second month			
1253 1,020	2253 510	Extension for reply within third month			
1254 1,580	2254 795	Extension for reply within fourth month			
1255 2,160	2255 1,080	Extension for reply within fifth month			
1401 500	2401 250	Notice of Appeal			
1402 600	2402 250	Filing a brief in support of an appeal			
1403 1,000	2403 500	Request for oral hearing			
1451 1,510	2451 1,510	Petition to Institute a public use proceeding			
1460 130	2460 130	Petitions to the Commissioner			
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)			
1808 180	1808 180	Submission of Information Disclosure Stmt			
1809 790	1809 395	Filing a submission after final rejection (37 CFR § 1.129(a))			
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))			
Other fee (specify)				SUBTOTAL (2)	
				(\$ )	

<b>SUBMITTED BY</b>					
Name (Print/Type)	Aslam A. Jaffery		Registration No. (Attorney/Agent)	51,841	Telephone (303) 740-1980
Signature					Date 07/23/07

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**RESPONSE UNDER 37 C.F.R. § 1.116**  
**-- EXPEDITED PROCEDURE --**  
**EXAMINING GROUP 2600**

Our Docket No: 42P11856

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Feuerstraeter, et al. ) Examiner: Nguyen, Steven H D.  
Application No: 10/037,669 ) Art Unit: 2616  
Filed: January 3, 2002 )  
For: A Method and Apparatus for Priority )  
Based Flow Control In An Ethernet )  
Architecture )

## RESPONSE AFTER FINAL

Mail Stop: AF  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the final Office Action mailed June 27, 2007, Applicants respectfully request the Examiner to enter the following amendment and to consider the following remark.

**CERTIFICATE OF FACSIMILE**

Docket No.: 42P11856  
Application No.: 10/037,669